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Report of the International Civil Service Commission for 2004

Volume II

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Note

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The present volume II of the report of the International Civil Service Commission for 2004 contains the comments of the International Civil Service Commission on the report (A/59/153) of the Panel on the Strengthening of the International Civil Service established pursuant to section IV of General Assembly resolution 57/285 of 20 December 2002, which the Commission considered at its fifty-ninth session. The comments are provided in response to that resolution, in which the Assembly, inter alia, invited the Commission to comment on the findings and recommendations of the Panel and to submit its comments to the General Assembly at its fifty-ninth session, to be considered by the Assembly together with the report of the Secretary-General. General observations are provided in chapter I (paras. 1 to 4) and specific comments of the Commission on each recommendation of the Panel in chapter II (paras. 5 to 24) of this volume.

Volume I of the report of the Commission for 2004 contains the Commission's discussion of all other items considered at its fifty-eighth and fifty-ninth sessions and traditionally reported on to the General Assembly.

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Volume II

Comments of the International Civil Service Commission on the report of the Panel on the Strengthening of the International Civil Service

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Chapter I
Introduction

1. In his report entitled "Renewing the United Nations: A Programme for Reform" (A/51/950), the Secretary-General stressed the need for urgent efforts to enhance the effectiveness with which human resources are managed in the United Nations system and to strengthen the international civil service. In view of the key role that the International Civil Service Commission (ICSC) plays in the regulation and coordination of conditions of service of the United Nations common system, he recommended to the General Assembly that it initiate a review of the Commission in order to increase its effectiveness in meeting the challenges facing the organizations of the system. The objectives of the review as proposed by the Secretary-General and endorsed by the General Assembly were the following:

(a) The review should be a focused process firmly set in the context of the Commission's Statute and clearly aimed at further strengthening the Commission and maximizing its ability to support the General Assembly in guiding the common system;

(b) The Panel on the Strengthening of the International Civil Service should consider ways of better equipping the Commission within the Statute, with tools to implement its tasks, while further ensuring the Commission's independence, impartiality and effectiveness;

(c) The Panel should study and report on ways of enhancing the Commission's capability to reinforce, modernize and thereby strengthen the international civil service to meet new and complex challenges.

In its resolution 57/285, the General Assembly invited the Commission to comment on the findings and recommendations of the Panel and to submit its comments to the General Assembly at its fifty-ninth session to be considered by the Assembly together with the report of the Secretary-General.

Discussion by the Commission

2. The Commission notes with interest and appreciation the report of the Panel on the Strengthening of the International Civil Service (A/59/153). It notes further that the mandate of the Panel is clear and specific, namely, a focused process aimed at further strengthening the Commission and maximizing its ability to support the General Assembly in guiding the common system within the context of the Commission's Statute. The Commission is pleased to note that many of the recommendations made by the Panel are in line with the decisions adopted by the Commission at its most recent sessions.

3. In examining the report of the Panel, the Commission felt that it needed to express some concern at some of the recommendations since in its view they would in fact serve to weaken the Commission and the future of the international civil service. A number of recommendations seem to be in direct contravention of the Statute of the Commission.

4. A few recommendations impact on the Statute of the Commission, which has been established by the General Assembly as an independent and impartial technical body. A review of the Statute of the Commission does not fall within the mandate of the Panel. In the Commission's view, its independence is crucial for the realization of the objectives for which it has been established. The Commission has a unique role to advise the General Assembly on the regulation and coordination of the conditions of service of the United Nations common system, and the report should therefore have specifically addressed the ways in which the Commission should be strengthened to assist the Secretary-General and the General Assembly in meeting that objective. The comments of the Commission on each of the Panel's recommendations are set out below.

Chapter II
Specific comments

A. Role of the International Civil Service Commission and the international civil service in changing times

Recommendation 1

The Panel recommends that:

(a) The Commission's capacity as a source of technical expertise and policy advice be further strengthened;

(b) Trust between the Commission and the administration and staff of each organization be enhanced;

(c) Collaboration between the Commission and its stakeholders — member States, common system organizations and the staff associations — be reinforced.

5. **The Commission considers that the points made in recommendation 1 are non-specific since there has been no indication of identified problems and equally no mention of how the Commission's capacity should be further strengthened. With respect to recommendation 1 (a), additional resources would be required to further strengthen the Commission's capacity as a source of technical expertise and policy advice. Recommendation 1 (b) addresses the question of trust, and the Commission notes that there has been a significant improvement in the working relationship with the administration and staff of organizations over the years.**

6. **The Commission notes recommendation 1 (c), but as an independent and impartial body it recognizes under article 6 of the Statute the special relationship that exists with the General Assembly as a parent body, which cannot be put on an equal footing with organizations and staff associations.**

Recommendation 2

The Panel recommends that the Commission's work be given the importance and attention it deserves, both within the United Nations General Assembly and by the governing bodies of the organizations of the system.

7. **The Commission notes the recommendation made by the Panel.**

B. Working methods of the Commission

Recommendation 3

The Panel recommends that these revised practices now be fully reflected in the Commission's rules of procedure, as provided in annex I. This should serve to formalize practices intended to broaden the consultative process among all parties, both in the establishment of the Commission's agenda, including the identification of priority issues to ensure greater efficiency in agenda management, and in the elaboration of documentation for the Commission, which should take into account the views of all parties concerned.

8. **The Commission takes note of the recommendation and holds the view that proposed changes in the rules of procedure have now been overtaken by events since modified working methods have been in place for some time, resulting in improved working relations and good cooperation among all parties.**

Recommendation 4

The Panel recommends that greater use be made of working groups whenever appropriate. This would serve to strengthen the relationship between the consultative partners and lead to more constructive outcomes for all stakeholders, including Member States.

9. **The Commission notes the recommendation, which is in line with its practice of using working groups, when appropriate, for key issues on its work programme. This method, which has proved to be very effective in the past, will be continued.**

C. Criteria and process for the selection of Commission Members

Recommendation 5

The Panel recommends that:

(a) The Statute of the Commission be strictly applied in respect of both the qualifications and the process of consultations for membership in the Commission, as provided for in articles 3 and 4. In this connection, the Panel recommends the introduction of specific criteria, as set out in annex II below, to assist in focusing all phases of the selection process on the requirements of article 3;

(b) Member States take into full consideration these requirements and criteria when submitting and electing candidates for membership in the Commission. In the first instance, the presentation of candidatures by member States should specifically relate the background and experience of candidates to such requirements and criteria;

(c) The Secretary-General draw on the recommendations above to improve the consultative process he undertakes pursuant to article 4 of the Statute, and in compiling the list of candidates for appointment provided for in that article, so as to facilitate the selection of individuals who are recognized nationally and internationally as high-level experts in different management areas and bring to the Commission an effective mix of expertise, practical knowledge and experience that will maximize its contribution as both a regulatory and an advisory body;

(d) The General Assembly seek to introduce greater gender balance in the Commission membership.

10. **The Commission considers that the recommendation exceeds the provisions of the Statute since article 3 is very clear on the competence and experience required of the members of the Commission and does not need to be supplemented. It notes, moreover, that the criteria outlined in annex II for selection of members of the Commission are unrealistic. As proposed, the**

candidate would be required to meet all criteria stipulated. The application of such a screening process exclusively for selection of members of the Commission (no such procedure exists with regard to other subsidiary organs of the General Assembly) appears to be inappropriate, and in effect could place the Secretary-General in a difficult political quandary when vetting candidates nominated by Member States.

D. Length of term of office of Commission members

Recommendation 6

The Panel recommends that, within the terms of the International Civil Service Commission Statute (article 5), the General Assembly introduce the understanding that future appointments to the Commission would normally be limited to two terms. Such an understanding should be put in practice in a gradual and deliberate manner that preserves continuity in the work of the Commission and allows for a smooth transition. As part of these transitional arrangements, the eligibility of current members for reappointment for another term should not be excluded.

11. **The Commission cannot support this recommendation. Because of its highly technical work, it believes that it would be counterproductive to the objective of strengthening the Commission's role. The role of the Commission is one requiring continuity, given the scope and complexity of subjects treated and the trend and directions taken over time. It is in the best interests of Member States, organizations and staff to preserve the retention of knowledge. "Institutional memory" cannot be arbitrarily limited in time; in the Panel's report there is no evidence to support a contrary view. There could be serious implications from such a recommendation as it could serve to weaken the Commission instead of strengthening it. Further, it seems to be an attempt to revise article 5 of the Statute, which provides no time limit for the membership of the Commission, and to deprive the General Assembly of its prerogative in selecting the best candidates for appointment or reappointment to the Commission.**

E. Frequency and length of sessions of the Commission

Recommendation 7

The Panel recommends that the programme of work and the duration of the Commission's sessions be reviewed in order to limit the length of each session to a maximum of 10 working days, while making greater use of informal working groups, retreats and other means of interaction between sessions.

12. **The Commission notes that this recommendation would weaken its ability to perform its statutory functions and could make it difficult to respond to the requests of Member States, organizations and staff given the high volume of work dealt with at each session and the already existing difficulty in completing the work programme within the current time frame of three weeks. The Commission recalls that in 1992 it had decided to adjust its working methods, including timing and duration, to take account of the biennialization of the**

work programme of the Fifth Committee of the General Assembly as well as to enhance the cost-effectiveness of its work. In alternate years, when personnel matters are addressed by the Fifth Committee, both sessions of the Commission would be three weeks each in duration. For intervening (i.e., odd-numbered) years, the duration of each session would be two weeks. The Commission notes that, contrary to the view expressed by the Panel, it is not the experience of its members that their other professional activities interfere with their work in the Commission. While the Commission could choose to work in private sessions for the sake of expediency, this direction would not foster an environment of cooperation and trust with its partners.

F. Implications for the work of the Commission's secretariat

Recommendation 8

The Panel recommends that the ICSC secretariat be staffed by a core of experts in such areas, with the ability to draw on external expertise through consultancy services where necessary.

13. **The Commission takes note of the recommendation of the Panel and voices its appreciation for the expertise and support that has always been provided by its secretariat. It confirms that the ability to draw on external consultancy services would be very much welcomed in view of its expanding work programme and would request that additional resources be provided. The Commission notes further that the lack of compatibility between information systems in organizations at times creates problems in the acquisition of the data needed for sound decision-making.**

G. Enhancing the Commission's capacity to strengthen the international civil service

1. Modern and responsive workforce

Recommendation 9

The Panel recommends that the Commission be positioned to provide the General Assembly and the organizations with expert information and policy guidance that takes into account the human resources management strategies and best practices being adopted in the public and private sectors throughout the world.

14. **The Commission considers that this recommendation contradicts recommendation 7 to limit the length of the sessions to 10 working days, since more time would be required to adequately address an expanded work programme during the session. Moreover, the implementation of this recommendation, which would involve the maintenance of large volumes of information, would require additional funds for that purpose.**

2. Management policies

Recommendation 10

The Panel recommends that greater focus be placed on performance in the determination of pay as an important step towards building a stronger and more effective international civil service. It supports the piloting of performance-based pay, on the understanding that adequate financial controls are put in place so that such pay awards are applied selectively and based solely on merit, and are not used for across-the-board salary increases. At the same time, the Panel recommends that the organizations of the common system make a renewed effort to strengthen managerial capacities, which it views as an important condition for such endeavours to be successful. In this regard, it welcomes the developmental work being carried out on the implementation of a Senior Management Service (see CEB/2004/1).

15. **The Commission takes note of this recommendation. It confirms that it has progressed beyond the concept of performance in pay determination and is in the process of testing the implementation of a pay-for-performance scheme in a number of organizations in the United Nations common system. The development of a senior management service is under consideration, and is noted in volume I of the Commission's report for 2004.**

3. Competitivity

Recommendation 11

The Panel therefore recommends a review of the application of the Noblemaire principle on a priority basis to determine the extent to which the common system is competitive with leading expatriate services of member States and other international and regional intergovernmental organizations.

16. **The Commission takes note of the recommendation; however, in its expert opinion it concludes from a recent review of the methodology that it is inappropriate to link the United Nations common system with international financial institutions, regional organizations or the private sector. It has therefore endorsed the principle of using the existing methodology for the application of the Noblemaire principle. Studies in total compensation comparison will continue in line with that decision.**[1]

Recommendation 12

The Panel further recommends that the General Assembly and the other governing bodies of the organizations of the common system take action to restore and preserve competitiveness in the overall conditions of employment.

17. **The recommendation is noted; however, in spite of having made several requests to the organizations, the Commission has never received any data to substantiate the claim that the common system is not a competitive employer or that recruitment and retention problems exist.**

4. Workplace practices

Recommendation 13

The Panel recommends that the Commission, along with the General Assembly and the other legislative organs of the system, promote and monitor the

implementation of best workplace practices that support work/life balance. In this regard, the Panel welcomes the 1995 policy statement of the Administrative Committee on Coordination on work/family issues (see A/C.5/49/62, annex) and recommends its full implementation.

18. **The Commission notes the recommendation. The practices and issues of work/life balance have indeed been monitored and addressed by the Commission as part of its work programme over the years.**

5. Staff development and training

Recommendation 14

The Panel recommends that:

(a) Legislative bodies of the organizations recognize the importance and necessity of investing in the continuous learning of staff, as a crucial component of the effort to strengthen the international civil service;

(b) The organizations of the system make full and effective use of the facilities of the United Nations System Staff College with a view to promoting a common managerial culture throughout the system.

19. **The recommendations are noted. The Commission expresses its support for the encouragement of continuous learning for staff of the common system.**

6. Contractual arrangements

Recommendation 15

The Panel recommends that:

(a) The Commission continues to work with its consultative partners to ensure greater cohesiveness in organizations' contractual arrangements and the conditions attached thereto. These arrangements should reflect best practices, provide the necessary degree of operational and administrative flexibility, and be tailored to the needs of a modern, global international civil service;

(b) The United Nations System Chief Executives Board for Coordination (CEB) reinforce its coordination and cooperation efforts across the United Nations system, including at the field level;

(c) Organizations of the United Nations system be called upon to use their various contractual arrangements according to their intended purposes, so as to avoid, for instance, the continual extension of short-term contracts for long periods.

20. **The Commission welcomes the call to CEB and the organizations to cooperate with the Commission in developing improved management of contractual arrangements in the United Nations common system. It notes that the subject of contractual arrangements is being actively pursued by the Commission, and that it has summarized progress achieved in volume I of its report for 2004.**

7. Mobility

Recommendation 16

The Panel welcomes the new policy statement governing inter-agency mobility adopted by the United Nations System Chief Executives Board for Coordination in 2003 (see CEB/2003/2) and recommends its full implementation. Furthermore, the Panel calls on member States where United Nations system organizations operate to facilitate access to work permits for the spouses of United Nations system staff members.

21. **The Commission notes the recommendation and confirms that this is an item that is under consideration in its work programme.**

Recommendation 17

The Panel recommends that the Commission's future work programme place special emphasis on inter-agency mobility, as a key means of strengthening the cohesiveness and effectiveness of the system's response to global challenges and of building unity of purpose and a common culture and shared values within the common system. The Panel further recommends that the Commission ensure that effective incentives are in place, combining the facilitation of mobility and the fostering of professional growth.

22. **The Commission notes the recommendation and that this is an item under consideration in its work programme.**

8. Security

Recommendation 18

The Panel recommends that the Commission undertake a comprehensive reassessment of the compensation policy and incentives, both financial and non-financial, for service in difficult and hazardous conditions.

23. **The Commission notes that this recommendation is actively being addressed in its work programme and progress is noted in volume I of its report for 2004.**

Recommendation 19

The Panel further recommends that the General Assembly and the other legislative organs earmark an adequate proportion of assessed contributions for safety and security purposes.

24. **The Commission takes note of this recommendation.**

Notes

[1] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 30* (A/59/30 (Vol. I)), chap. IV, sect. D.

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